



Vestavia Hills
Board of Zoning Adjustment Agenda
November 21, 2024
6:00 PM

1. Roll Call
2. Approval Of Minutes
3. BZA-24-25 **Tammy Johnson** is requesting a **Front Setback Variance** for the property located at **1927 Mission Road**. The purpose of this request is to reduce the front setback to 30' in lieu of the required 37' (existing porch and steps), to extend front porch an extra 4'. The property is owned by Tammy Johnson and is zoned **Vestavia Hills R-3**.
4. BZAS-24-2 **Jared Johnson** is requesting a **Special Exception** for the property located at **2953 Green Valley Road**. The purpose of this request is to allow 2 houses to be present temporarily on one lot, to build new house and then demolish existing house (following a specified timeline by BZA). The property is owned by Jared Johnson and is zoned **Vestavia Hills R-4**.
5. Time Of Adjournment

CITY OF VESTAVIA HILLS
BOARD OF ZONING ADJUSTMENT
MINUTES

October 17, 2024

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
Michael Fliegel, Alt
Stephen Greer
Thomas Parchman
Tony Renta

MEMBERS ABSENT

Loring Jones, III
Ryan Rummage, Alt

OTHER OFFICIALS PRESENT:

Jack Wakefield, Planner/GIS

APPROVAL OF MINUTES

The minutes of September 19, 2024 were presented for approval.

MOTION Motion to dispense with the reading of the minutes of September 19, 2024 was made by Mr. Renta and 2nd was by Mr. Parchman. Motion as carried on a voice vote as follows:

Mr. Fliegel – yes	Mr. Renta – yes
Mr. Greer – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

FRONT SETBACK VARIANCE

BZA-24-23 **James Sransky** is requesting a **Front Setback Variance** for the property located at **2001 Hickory Road**. The purpose of this request is to reduce the front setback to 14' in lieu of the required 50', to build a house. The property is owned by Cathy and Ford Waters and is zoned **Vestavia Hills R-2**.

Mr. Wakefield explained that this is a request from a previous variance. The homeowner was never able to secure a contractor for the work and the variance lapsed. This is a variance for a new house.

James Sransky, 2730 9th St South, was present for the case. He explained the history of why the variance originally wasn't acted on. He stated the corner lot caused the hardship and also there is a septic system limiting buildable area. Also, that the variance would allow the driveway to enough space for a turnaround point. That way the homeowner would not have to back onto Hickory Road.

Mr. Renta asked about the wall proposed on the Montgomery Hwy frontage.

Mr. Sransky stated that this was needed for privacy.

Mr. Wakefield stated that the current placement of the wall would need to be a part of the request.

It was proposed that the fence be a part of the request, to the satisfaction of the applicant.

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

MOTION Motion to APPROVE a 36' Front Setback Variance to Reduce the Setback to 14' in Lieu of the Required 50', conditioned that the fence in the front setback (Montgomery Hwy) be approved., for the property located at 2001 Hickory Road was made by Mr. Renta and 2nd was by Mr. Fliegel. Motion was carried on a roll call vote as follows:

Mr. Fliegel – yes	Mr. Renta – yes
Mr. Greer – yes	Chairman Rice – yes
Mr. Parchman – yes	
Motion carried.	

REAR SETBACK VARIANCE

BZA-24-24 **John Adams III** is requesting a **Rear Setback Variance** for the property located at **3417 Mountainside Road**. The purpose of this request is to reduce the rear setback to 10' in lieu of the required 25', to build a kitchen addition. The property is owned by John Adams III and is zoned **Vestavia Hills R-4**.

Mr. Wakefield explained the request is another previous variance request that had lapsed. The request was to build a rear kitchen addition.

John Adams, 3417 Mountainside Road, was present for the case and stated that he is a contractor and other work has pulled him away from his home renovation. He stated that the slope adjacent to the property prevents the platted roadway from originally being located in the ROW, so the prescriptive road runs down the middle of the lot. Due to this he only has a portion of his lot to build on.

There were no questions from the board.

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

MOTION Motion to APPROVE a Variance from Section 4.3.6 in the VH Zoning Code, for the property located at 2524 Shades Crest Road (condition that applicant follow recommendation of Engineering regarding impervious area), was made by Mr. Renta and 2nd was by Mr. Fliegel. Motion was carried on a roll call vote as follows:

Mr. Fliegel – yes Mr. Renta – yes
Mr. Greer – yes Chairman Rice – yes
Mr. Parchman – yes
Motion carried.

FRONT SETBACK VARIANCE

BZA-24-25 **Tammy Johnson** is requesting a **Front Setback Variance** for the property located at **1927 Mission Road**. The purpose of this request is to reduce the front setback to 42' in lieu of the required 50', to extend front porch an extra 4'. The property is owned by Tammy Johnson and is zoned **Vestavia Hills R-3**.

Mr. Wakefield explained that this is a request to rebuild and enlarge the current front porch.

Tammy Johnson, 1927 Mission Road, was present for the case. She stated the porch

is very narrow and not safe to use. She also stated that the septic system in the rear prevented any building off the rear of the house.

Chairman Rice asked Ms. Johnson to point out the location of the septic system on the map. To which Ms. Johnson did. She also pointed out the way the road and subsequent properties slope downward.

Mr. Renta asked does she have the distance from the closest edge of the house to the property line.

Mr. Wakefield stated he scaled this out with a ruler and found the closest distance is 47'.

Mr. Greer asked if stairs of the porch would be a part of the entire structure.

Mr. Renta stated it is. He also stated that the porch extends past the 47', but the steps could add an extra 8 or 9 feet. That the request is for 8', but really it could be more. He stated that he wanted to get the measurements correct.

Mr. Fliegel asked if the roof line would be extended out.

Ms. Johnson stated that it would.

Mr. Renta stated that this seems like a request not for 8', but for something closer to 16' to 20'. If we approve this, we have to be careful on how the approval is worded.

Chairman Rice asked if the stairs could move to the side?

Cross talk about the viability of moving the stairs.

Mr. Renta stated that he is struggling to see the septic system as a hardship.

Ms. Johnson stated the hardship is that she cannot build in the rear.

Mr. Renta stated that we have certain rules set forth by the State on what deems a hardship. He also stated that there are a lot of moving parts that give him pause.

Ms. Johnson stated again the hardship is that she has to build in the front because of the rear septic system.

Mr. Renta stated that the porch and house are already out of compliance, so this would establish a far further setback than what is being proposed. We do not have enough information to make a vote on this.

Option was given to Ms. Johnson to vote now or postpone until next month.

Mr. Renta stated that we need more measurements so we can make a more informed decision. He also explained how she could modify the steps to allow her to have the porch space with minimal front setback encroachment.

Ms. Johnson stated she would like to postpone to gather more information.

VARIANCE WAS POSTPONED.

At 6:37 PM, Mr. Greer made a motion to adjourn. The meeting adjourned at 6:37 PM.

Jack Wakefield, Planner/GIS



VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

November 21, 2024

AGENDA ITEM

BZA-24-25 **Tammy Johnson** is requesting a **Front Setback Variance** for the property located at **1927 Mission Road**. The purpose of this request is to reduce the front setback to 30' in lieu of the required 37' (existing porch and steps), to extend front porch an extra 4'. The property is owned by Tammy Johnson and is zoned **Vestavia Hills R-3**.

BACKGROUND

7' Front Setback Variance to Reduce the Setback to 30' in Lieu of the Required 37' (existing porch and steps).

PLANNER'S REVIEW/RECOMMENDATION

The applicant is seeking a front setback variance to rebuild and extend the front porch. The applicant contends the septic system in the rear causes a hardship, preventing building a new addition in the rear. The current porch is already over the 50' front setback by about 5', as the house sits at an angle compared to the front property line. The current porch is in disrepair and needs to be replaced. The porch, along with stairs and railing, is falling apart and unsafe. The porch is only 4' in length, making it barely usable. The proposal is to rebuild the porch to make it safe to use, and extend it an extra 4' to create a little bit of extra space for the use of the porch. Staff has recommended that this approval be contingent on following the re-survey process, as the house sits on two lots. This property is zoned Vestavia Hills R-3.

ATTACHMENTS

1. Application
2. Variance Request Info
3. Zoning Comments
4. Existing Porch 1927 Mission Road
5. NEW PORCH_3-16 SCALE 2
6. Survey showing sidewalk distance from front property line
7. Current Survey
8. Proposed Survey
9. Rendering of Proposed Porch

10. Current Porch Photo
11. Rendering
12. Owner's Affidavit

Jack Wakefield
City Planner

BZA-24-25

Variance Application

Status: Active

Submitted On: 9/17/2024

Primary Location

1927 MISSION RD

VESTAVIA HILLS, AL 35216

Owner

Tammy G Johnson

Mission 1927 MISSION RD BIRMINGHAM, AL 35216

Applicant

 Tammy Johnson

 205-542-7400

 tammygjohnson@gmail.com

 1927 Mission Rd
Vestavia Hills, AL 35216-2240

Agenda Information

Agenda Scheduling

October 2024

Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Tammy Johnson

Phone

2055427400

Address

1927 Mission Road

City/State/Zip

Vestavia Hills, AL 35216

Email

tammygjohnson@gmail.com

Subject Property Information

Subject Property Address

1927 Mission Road

Legal Description of Subject Property

Lots 5 & 6 Blk 1 T H Payne SubDiv

REASONS FOR REQUEST

Front Setback Variance



Setback Required*

37 feet (Current Porch Setback with stairs)

Setback Requested*

30 feet (with stairs)

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-3

PROJECT

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

This is a land drive hardship because we can not expand on the rear of the property due to the septic tank and field lines. As a result, we are seeking to replace the existing 4-foot front porch with a new 8-foot front porch. This new porch would encroach on the setback requirement by 5 feet into the 50-foot required setback. The current porch, which is only 4 feet, is in need of repair, and both the railing and steps do not meet current safety codes.

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 is a land drive hardship because we can not expand on the rear of the property due to the septic tank and field lines. As a result, we are seeking to replace the existing 4-foot front porch with a new 8-foot front porch. This new porch would encroach on the setback requirement by 5 feet into the 50-foot required setback. The current porch, which is only 4 feet, is in need of repair, and both the railing and steps do not meet current safety codes. .

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:*

This is a land-driven hardship and can not expand in the rear due to the septic tank and field lines.

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, we are asking for a variance in order to replace and expand the much-needed front porch to our home.

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:*

Since our only access to our home is by going up a set of stairs in the front or in the rear, we need to expand this front porch and update the railing and stairs for safety reasons.

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 new front will only enhance the curb appeal for the entire neighborhood.

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

No, the reason for asking for this small 5 foot variance is because of not being able to expand in the rear of the house.

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

Yes, in order to expand the front porch 4 feet we need to encroach into the 50-foot set back requirement by 5 feet.

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 front expansion of 4 feet will be used solely by our family.

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

✓ Tammy G Johnson
Sep 17, 2024

Project

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

This is a land drive hardship. This hardship is due to several physical conditions, we cannot expand on the rear of the property due to the septic tank and field line and the slope of the property poses a practical difficulty to get into the home. The house was built around a bed of rock which is still in the basement area. The slope places the Front door 6' 7' above the ground. As a result, we are seeking to replace the existing 4-foot front porch with stairs with a new 8-foot front porch and stairs. Allowing this new addition into the setback will provide a more secure landing before going down the stairs. The exiting porch is 4 feet and the stairs extended into the 50' setback by

13'. This new porch would extend into the setback by 20'. The current porch, which is only 4 feet, is in need of repair, and both the railing and steps do not meet current safety codes. As you step out the front door you immediately are at the stairs and due to the height of the porch (from the slope of the property) feels unsafe.

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.

This Hardship is born out of an inherent land and topographical physical conditions because we cannot expand on the rear of the property due to the septic tank and field lines and the land slopes from left side to right and the house was built around a bed of rocks. The slope of the property caused the Front Door of the home to be 6'7" above the ground and a porch and stairs were built to get into the home. Both conditions are extraordinary and exceptional and are particular

to this property. As a result, we are seeking to replace the existing 4-foot front porch with a new 8-foot front porch. This new porch would encroach on the setback requirement by an additional 6 feet into the 50-foot required setback. The current porch, which is only 4 feet, is in need of repair, and both the railing and steps do not meet current safety codes.

1. There are extraordinary and exceptional conditions, which are peculiar to the piece of property in questions because of it size, shape, the or topography, that are not applicable to the other lands or structures in the sam district.

Yes, there are two conditions that are peculiar to this property. This Hardship is born out of an inherent land and topographical physical conditions because we cannot expand on the rear of the property due to the septic tank and field lines and the land slopes from left side to right. The slope of the property caused the Front Door of the home to be 6'7" above the ground and a porch and stairs were built to get into the home.

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.

No, we are asking for this variance in order to replace and expand the much-needed front porch to our home in order to provide a safe and secure exit to our home. All the homes in the neighborhood have access to their front door by a front porch and some have stairs.

3. All literal interpretations of the provisions of this ordinance would deprive this applicant of rights commonly enjoyed by others of property in the district in which the property is located.

Yes, If we do not receive this variance it would deprive us of a much needed expanded front porch and stairs so that you do not feel like you are going to fall down the stairs when you step out the front door that is 6'7" above the ground. A safe exit from the front door is commonly enjoyed by other of property in the neighborhood. Since our only access to our home is by going up a set of stairs in the front or in the rear, we need to expand this front porch and update the railing and stairs for safety reasons.

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.

The new front and stairs will only enhance the curb appeal for the entire neighborhood.

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

No, the reason for asking for this small 7 foot variance is because of not being able to have a safe and secure exit the front door which is

6'7" above the ground and stairs of the home due to the topo/slope/house built around a bed of rocks of the land and the septic tank prevents expansion in the rear.

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

Yes, in order to expand the front porch by 4 feet we need to encroach into the 50-foot set back requirement by 7 feet.

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 implications prohibited by the terms of the Ordinance in said district.

The front porch expansion of 4 feet will be used solely by our family.



City of Vestavia Hills, AL

Oct 11, 2024

BZA-24-25

Zoning Official Review

Variance Application

Status: Complete

Became Active: Sep 24, 2024

Assignee: Rebecca Leavings

Completed: Sep 26, 2024

Applicant

Tammy Johnson
tammyjohnson@gmail.com
1927 Mission Rd
Vestavia Hills, AL 35216-2240
205-542-7400

Primary Location

1927 MISSION RD
VESTAVIA HILLS, AL 35216

Owner:

Tammy G Johnson
1927 MISSION RD Mission
BIRMINGHAM, AL 35216

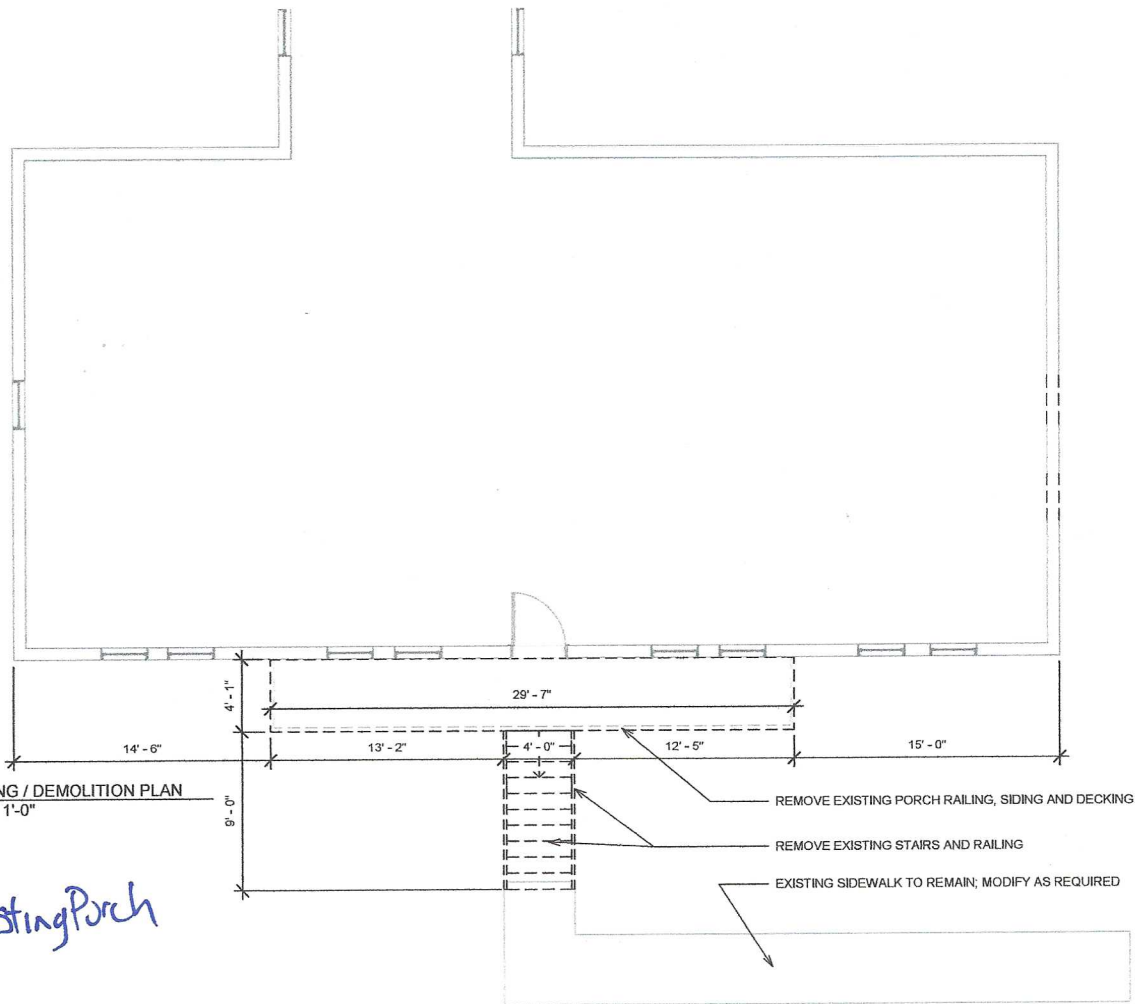
Comments

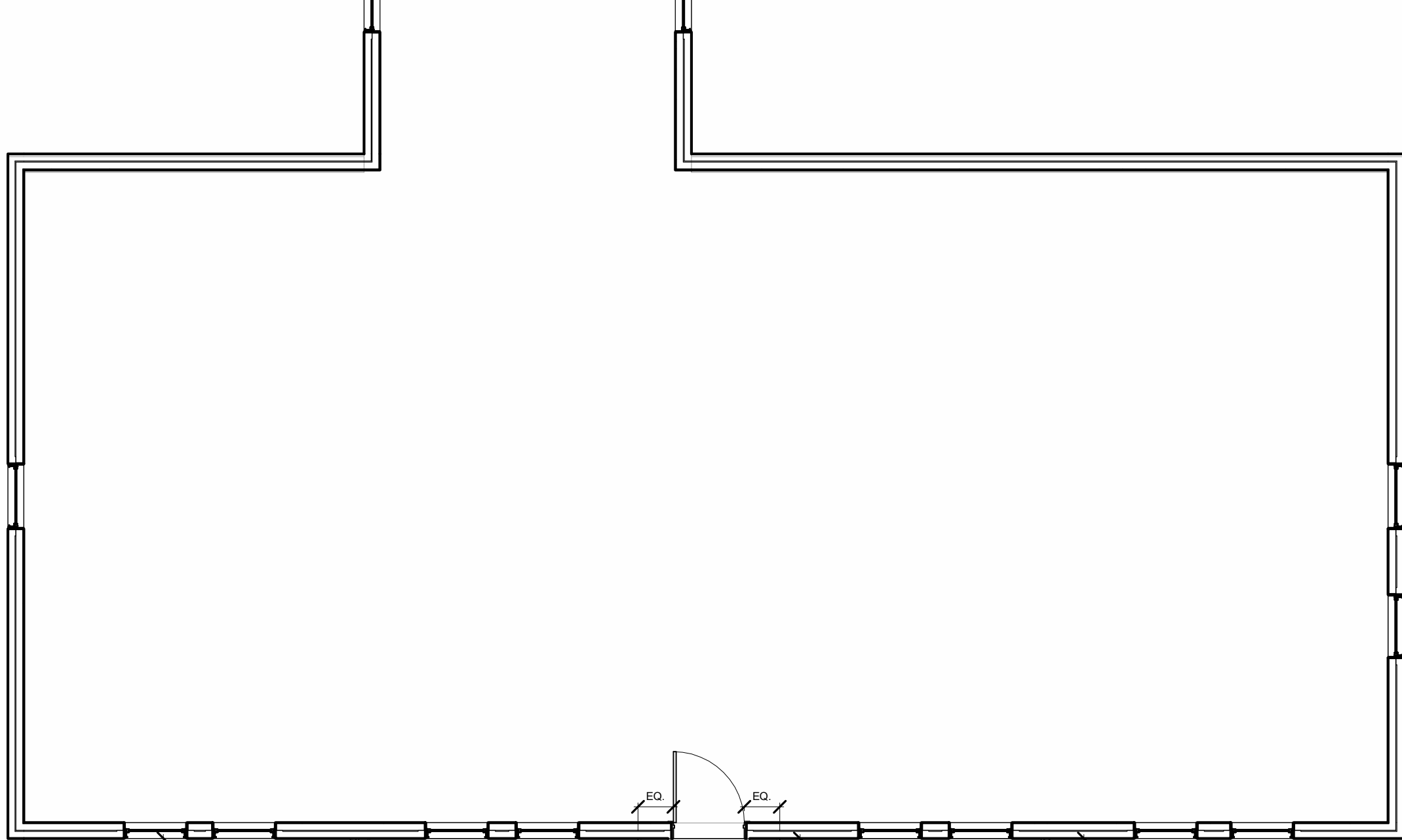
Rebecca Leavings, Sep 26, 2024

Requires a resurvey to combine lots prior to issuance of permits as current building straddles a recorded lot line.

① EXISTING / DEMOLITION PLAN
3/16" = 1'-0"

Existing Porch





② NEW CONSTRUCTION PLAN
3/16" = 1'-0"

20' - 1"

6' - 0" DEEPER

THAN EXISTING PORCH

11' - 3 1/2"

5' - 5"

10' - 6 1/2"

+4.5"

6' - 0"

3' - 0"

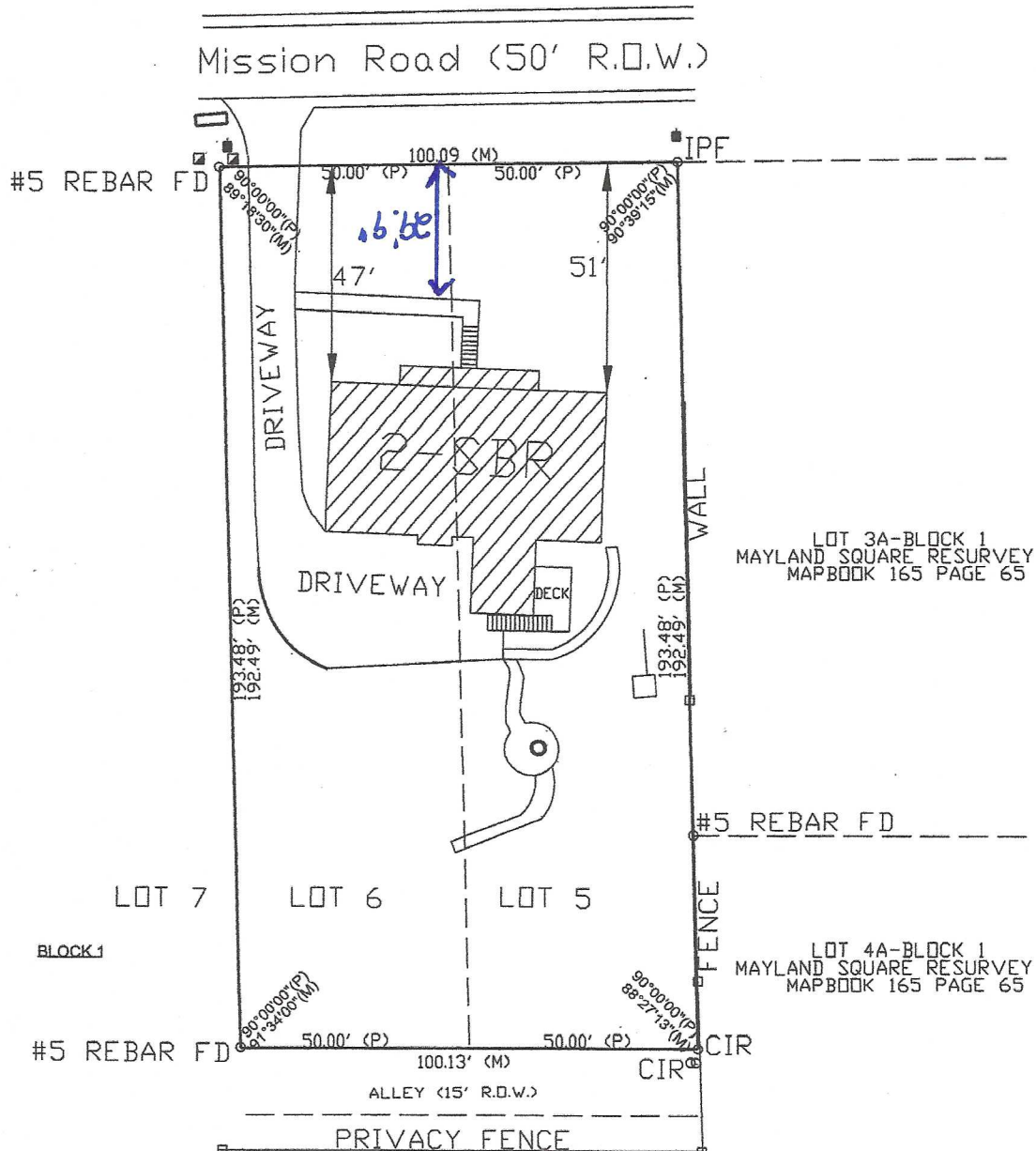
8' - 0"

EQ.

EQ.



ASSUMED
SCALE: 1"=40'



STATE OF ALABAMA
COUNTY OF JEFFERSON

LOTS 5 AND 6, BLOCK 1, ACCORDING TO THE SURVEY OF T.H. PAYNE
SUBDIVISION, AS RECORDED IN MAP BOOK 18, PAGE 56, IN THE OFFICE OF
THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA.

SOURCE OF TITLE: BOOK 200805 PAGE 19039 (JEFFERSON CO.)

DATE: 12 OCTOBER 2024

"I hereby (or 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."

Surveyor's Signature:

Amos F. Reese

Alabama License No: 31576

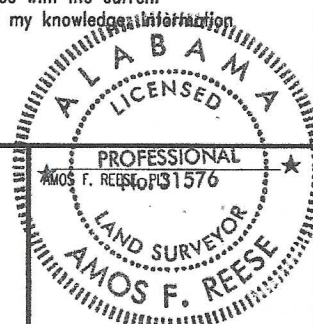
Date: *October 14, 2024*

TYPE: AS-BUILT

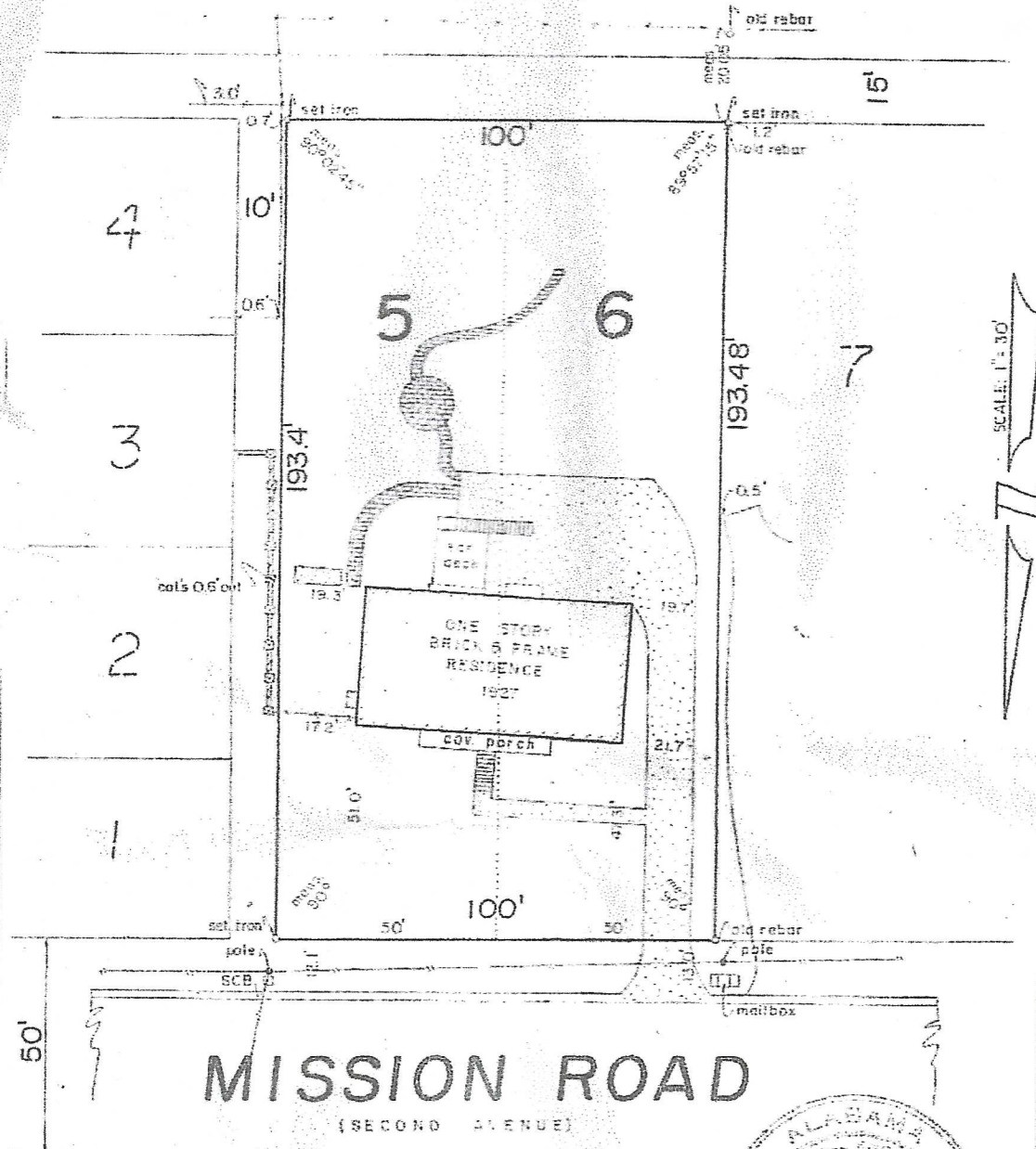
1927 Mission Road
Vestavia, AL 35216

AMOS F. REESE
3556 GREAT OAK LANE
BIRMINGHAM, AL 35223
PHONE: 205.276.5596

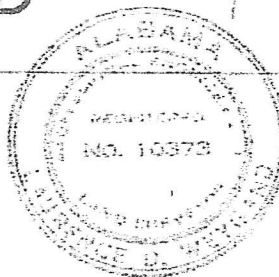
CIR-CAPPED IRON ROD
IPS-1/2" REBAR W/ CAP
IPF-IRON PIN FOUND
CALC-CALCULATED
(P)-PLAT DIMENSION
(M)-MEASURED DIMENSION
ROW-RIGHT OF WAY
MH-MANHOLE
P-POWER POLE
A-GAS VALVE
D-PEDESTAL
F-FIRE HYDRANT
W-WATER METER
PB-POWERBOX
N-NORTH
S-SOUTH
W-WEST
E-EAST
POC-POINT OF COMMENCEMENT
POB-POINT OF BEGINNING
●-POINT SET
○-POINT FOUND
△-POINT CALC.
△-POINT NOT SET
- - - FENCE LINE
- - - EASEMENT LINE
- - - OHP- OVERHEAD POWER/TEL
LP-Light Pole



BLOCK 1



MISSION ROAD
(SECOND AVENUE)



STATE OF ALABAMA }
JEFFERSON COUNTY }

AS-BUILT SURVEY

I, Laurence D. Weygand, a registered Engineer-Land Surveyor, certify that I have surveyed Lots 5 & 6, Block 1, T.H. PAYNE SUBDIVISION, as recorded in Map Volume 18, Page 56, in the office of the Judge of Probate, Jefferson County, Alabama; that there are no rights of way, easements, or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in "a special flood hazard area"; that there are no encroachments on said lot except as shown; that improvements are located as shown above; that this survey meets the minimum technical standards for surveys as required by the State of Alabama (using 14" long #5 con. rebar); and that the correct address is as follows: 1927 MISSION ROAD, according to the survey of MARCH 20, 1997.

Survey invalid if not sealed in red.

Flood Zone " C "

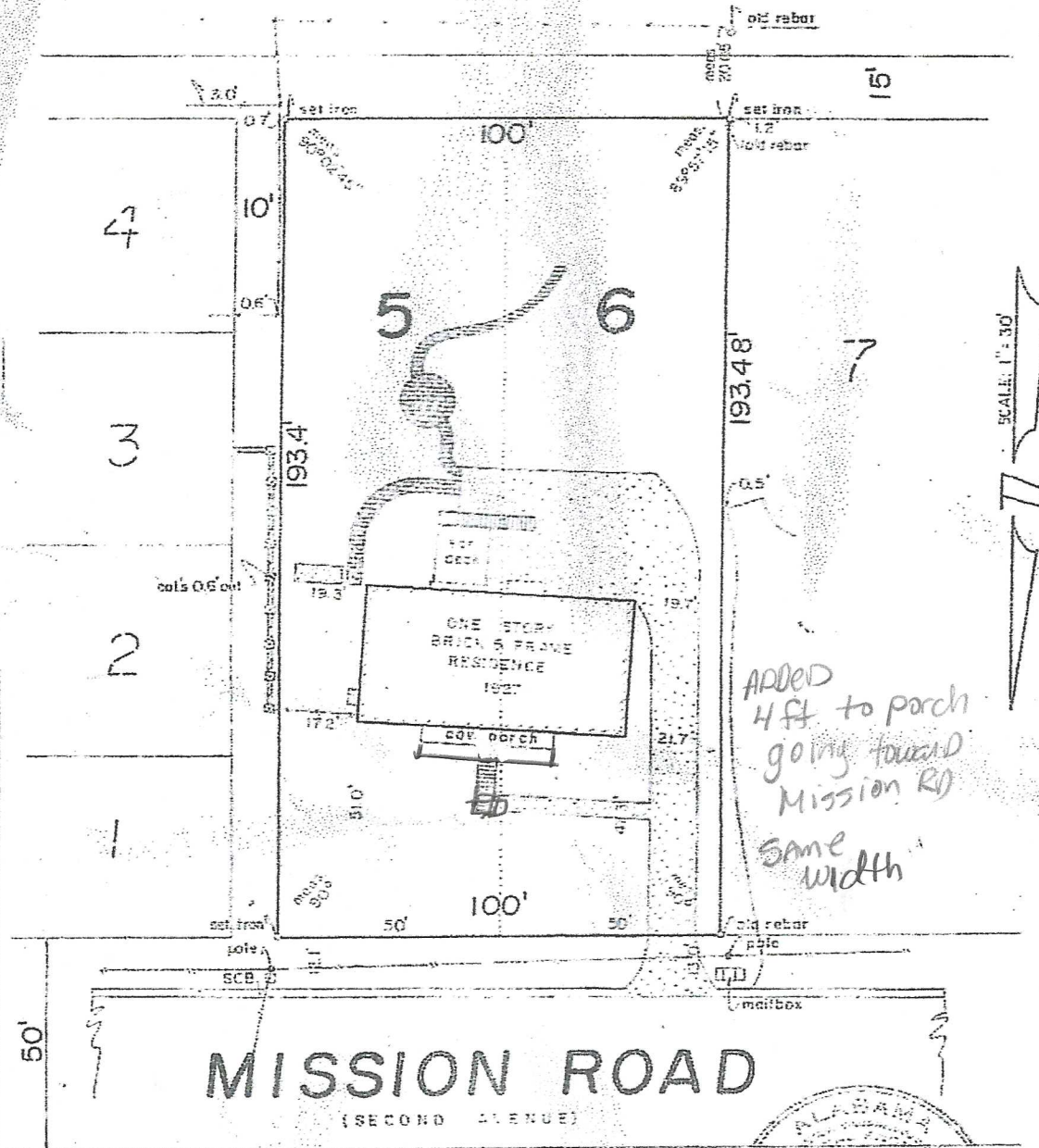
Community Panel No. 010132, 0003 B

Laurence D. Weygand, Reg. P.E. & L.S. #10373
168 Oxmoor Road, Birmingham, AL 35209
PH: 942-0086 FAX: 942-0087

WESNOR

Order No. 26100

BLOCK 1



STATE OF ALABAMA
JEFFERSON COUNTY

AS-BUILT SURVEY

I, Laurence D. Weygand, a Registered Engineer-Land Surveyor, certify that I have surveyed Lots 5 & 6, Block 1, as recorded in Map Volume 18 Page 55, in the office of the Judge of Probate, Jefferson County, Alabama; that there are no rights of way, easements, or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (including wires which serve premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in a "special flood hazard area"; that there are no encroachments on said lot except as shown; that improvements are located as shown above; that this survey meets the minimum technical standards for surveys as required by the State of Alabama (using 14" long #5 iron rebar); and that the correct address is as follows: 1927

MISSION ROAD according to my survey of MARCH 20, 1997

Survey invalid if not sealed in red.

WESNOR

Flood Zone "C"

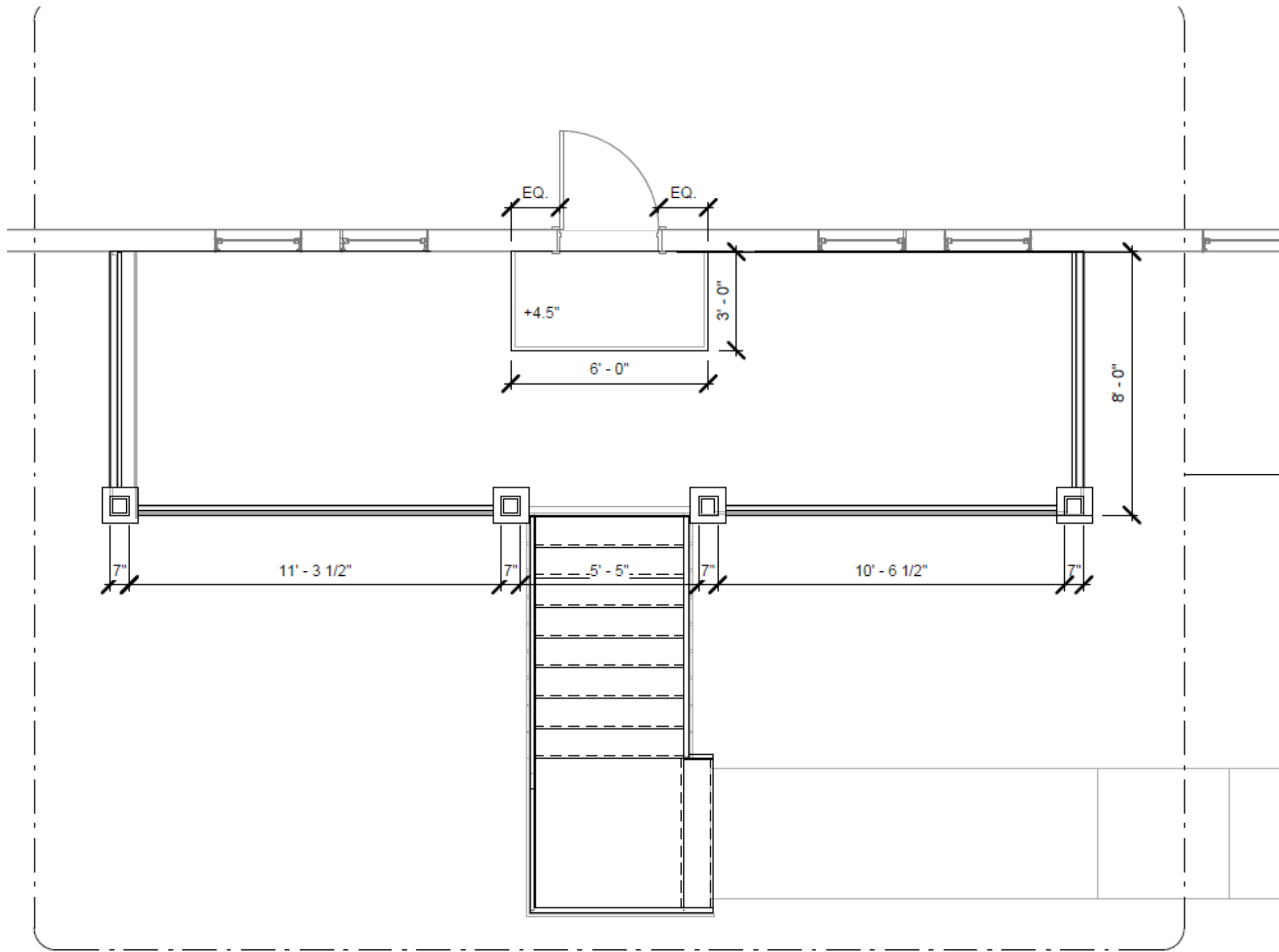
Community Panel No. 910132, 9003B

Laurence D. Weygand, Reg. P.E. & L.S. #10373
168 Oxmoor Road, Birmingham, AL 35209
PH: 942-6096 FAX: 942-0087

Order No. 26100









**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: 1927 Mission Road, 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:

Sammy S. Johnson
Owner Signature/Date

STATE OF ALABAMA

COUNTY OF Jefferson

Given under my hand and seal
this 17th day of September, 2024
Kay Russom
Notary Public

My Commission Expires
November 8, 2024

My commission expires _____ day of _____, 20____.





VESTAVIA HILLS

Board of Zoning Adjustment Planners Report

MEETING DATE

November 21, 2024

AGENDA ITEM

BZAS-24-2 **Jared Johnson** is requesting a **Special Exception** for the property located at **2953 Green Valley Road**. The purpose of this request is to allow 2 houses to be present temporarily on one lot, to build new house and then demolish existing house (following a specified timeline by BZA). The property is owned by Jared Johnson and is zoned **Vestavia Hills R-4**.

BACKGROUND

Special Exception

PLANNER'S REVIEW/RECOMMENDATION

The applicant is requesting a special exception. The homeowner intends to build a new residence at the rear of the lot. The lot is a somewhat narrow, but deep property in Cahaba Heights. The current house is pushed close to the front of the lot and the new house would be behind that. The special exception request would allow the homeowner to live in the existing house, on this single lot, while the new house is being constructed. Following the construction of the new house, the owner will be required to demolish the existing residence before a certificate of occupancy is granted. Zoned Vestavia Hills R-4.

ATTACHMENTS

1. Application
2. Engineering Comments
3. Current Survey
4. Proposed Site Plan
5. Owner's Affidavit

Jack Wakefield
City Planner

BZAS-24-2

Special Exception Application

Status: Active

Submitted On: 9/23/2024

Primary Location

2953 GREEN VALLEY RD
VESTAVIA HILLS, AL 35243

Owner

Jared Johnson
Green Valley Road 2953 Vestavia Hills, Al 35243

Applicant

 Jared Johnson
 205-422-7260
 jaredwj117@gmail.com
 2953 Green Valley Road
Vestavia Hills, Alabama 35243

Agenda Information

Agenda Scheduling

November 2024

Comments/Delay/Explanation

Applicant Information

I am filling this out as the

Owner

Billing/Responsible Party

Name

Jared Johnson

Phone #

2054227260

Address

2953 Green Valley Road

City/State/Zip

Vestavia Hills, Al 35243

Email

jared@jaredbuilding.com

Subject Property Information

Subject Property Address

2953 Green Valley Road

Legal Description of Subject Property 

ZONING

Vestavia Hills Zoning for the subject property is

R-4

PROJECT/REASON FOR REQUEST

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

Spoke with both Conrad Garrison and Keith Blanton and was encouraged to submit this request via variance application.

I own property at 2953 Green Valley Road with an existing 1200 sqft home on property that I reside in. I am proposing to build a new home for my family's own use on the property while keeping the existing home intact and continuing to live there during the construction phase. I would demo the existing home prior to moving into the new build or seeking a certificate of occupancy. There is sufficient space on the property to build and acknowledge building setbacks regulations. My understanding is that a "one lot one building" rule is what is preventing this from happening.

I can provide any kind of legal documents that might be helpful to this process. The new home would be on septic tank. I have already ran this by Jefferson County Health Department with proposed sketches and was recently issued a septic tank permit following a soils exam.

Thank you,
Jared Johnson

CONDITIONS

Before any special exception 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 special exc.

1. Access to and from the property and the proposed structure and/or uses, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access. Please explain:*

These conditions exist.

2. The location and accessibility of off-street parking and loading areas. Please explain:*

Sufficient off street parking and loading areas exist on the property.

3. The location and accessibility of refuse and service areas and their potentially adverse affects upon surrounding properties. Please explain:*

No impact, no adverse affects.

4. The screening and buffering of potentially adverse views and activities from surrounding properties. Please explain:*

No adverse views or activities would exist.

5. Control of noise, glare, odor, surface water runoff, and other potentially disturbing impacts upon surrounding properties. Please explain:*

Standard construction practices to prevent these issues would be in place.

6. The availability, location, and capacity of utilities. Please explain:*

All available.

7. The location and scale of signs and lighting with particular reference to traffic safety, glare, and visual compatibility with surrounding properties. Please explain:*

No signs or lighting.

8. The bulk, density, and lot coverage of structures, and yards and open areas, with reference to their compatibility with the character of the surrounding area. Please explain:*

No coverage

NOTE: The BZA shall review the application for compliance with the Vestavia Hills Zoning Ordinance and all other applicable codes and ordinances of the City. In particular the BZA shall determine that satisfactory provisions have been made concerning all conditions.

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

✓ Jared Johnson
Sep 23, 2024



BZAS-24-2

Engineering Review

Special Exception Application

Status: Complete

Became Active: Sep 24, 2024

Assignee: Ethan Fisher

Completed: Oct 1, 2024

Applicant

Jared Johnson
jaredwj117@gmail.com
2953 Green Valley Road
Vestavia Hills, Alabama 35243
205-422-7260

Primary Location

2953 GREEN VALLEY RD
VESTAVIA HILLS, AL 35243

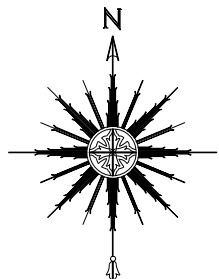
Owner:

Jared Johnson
2953 Green Valley Road Vestavia Hills, AL 35243

Comments

Ethan Fisher, Oct 1, 2024

Engineering will require erosion control plans and access plans for how equipment will access the rear of the property during permitting. Please note that this lot will be held to the 30% impervious rule. Our understanding is that the original structure will be demoed after the new residence is constructed. The final improvements will need to be equal to or less than 30% impervious.



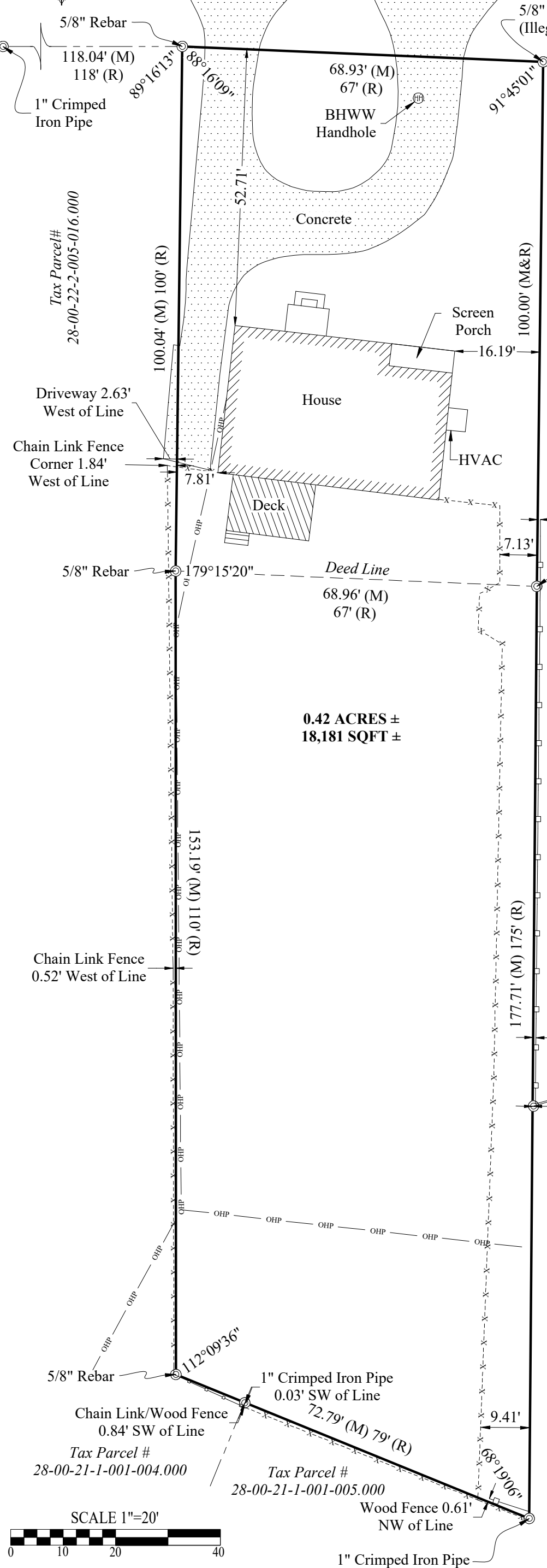
W WATER METER
R RADIUS
(C) CALCULATED
R.O.W. RIGHT OF WAY
CL CENTERLINE
-OHP- OVERHEAD POWER LINES

CROSS
A ARC LENGTH
(R) RECORDED
(M) MEASURED
TAN. ARC TANGENT
CH CHORD
△ DELTA ANGLE

△ CALCULATED POINT NOT MONUMENTED
○ 1/2" REBAR SET (#33949)
⊙ PROPERTY CORNER FOUND
-X-X- FENCE LINE
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

Boundary Survey For:
Jared Johnson
2953 Green Valley Road, Vestavia Hills, AL 35243
April 8, 2024

- NOTES:
1. Field work for this survey was completed on 04/06/2024.
 2. Source(s) of information used: Little Branch Estates (Map Book 102, Page 57), DRH'S Resurvey of Carr's Addition to Vestavia Hills (Map Book 241, Page 97) and Instrument #202261539 recorded in the Probate Office of Jefferson County.
 3. North derived from Instrument #2022061539 property description and found monuments.
 4. All easements and rights-of-way of which the surveyor had knowledge at the time of the survey have been shown. The surveyor has made no investigation or search for easements or record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
 5. No underground utilities or structures were located as a part of this survey.
 6. No determination of zoning compliance, subdivision regulation compliance, or usability is either directly or indirectly made by this survey.



Lot 1-A
DRH's Resurvey of Carr's
Addition to Vestava Hills
(Map Book 241, Page 97)

Surveyor's Certificate

I, Joshua L. Howard, a Licensed Professional Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current standards of practice for surveying in the state of alabama to the best of my knowledge, information, and belief.


Joshua L. Howard (PLS No. 33949)
(Not valid without Surveyor's Seal and Signature)



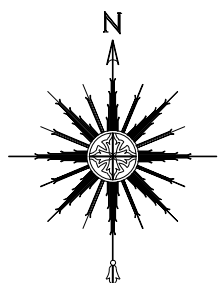
Lot 3-A
DRH's Resurvey of Carr's
Addition to Vestava Hills
(Map Book 241, Page 97)

HOWARD LAND SURVEYING, LLC

3609 DABNEY DRIVE, VESTAVIA, AL 35243

PHONE: (205) 915-4150

josh@howard-surveying.com



W WATER METER
R RADIUS
(C) CALCULATED
R.O.W. RIGHT OF WAY
CL CENTERLINE
-OHP- OVERHEAD POWER LINES

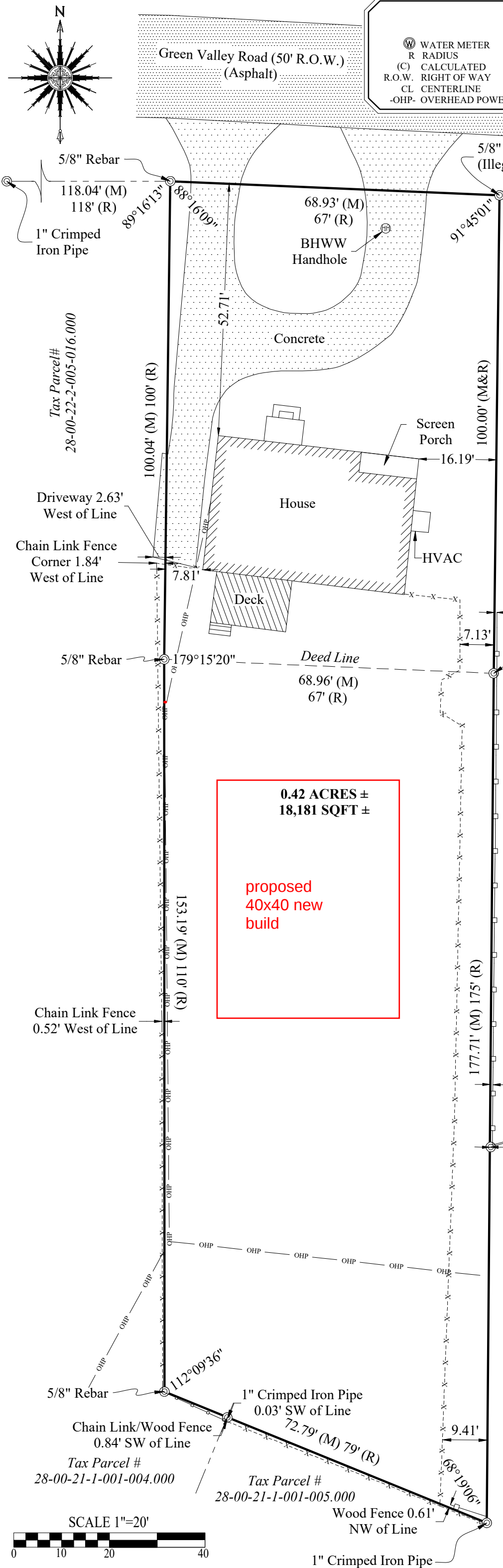
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Boundary Survey For:
Jared Johnson
2953 Green Valley Road, Vestavia Hills, AL 35243
April 8, 2024

NOTES:

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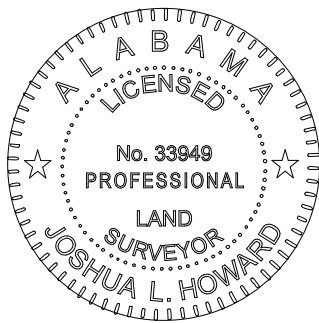


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Joshua L. Howard (PLS No. 33949)
(Not valid without Surveyor's Seal and Signature)



Lot 3-A
DRH's Resurvey of Carr's
Addition to Vestava Hills
(Map Book 241, Page 97)

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PHONE: (205) 915-4150

josh@howard-surveying.com



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: 2953 Green Valley Road, 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	☒ Request for Variance
☐ Preliminary Plat Approval	☐ Special Exception
☐ Final Plat Approval	☐ Design Review Approval
☐ Conditional Use Approval	

Signed: *Jarell* 9-23-2024
Owner Signature/Date

STATE OF ALABAMA
COUNTY OF Shelby County

Given under my hand and seal
this 22 day of September, 2024.

Anita Johnson
Notary Public
ANITA JOHNSON
NOTARY PUBLIC
ALABAMA - STATE AT LARGE
My Comm. Expires August 10, 2025

My commission expires _____ day of _____, 20____.

